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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

ALICIA NOLEN, on behalf of herself and on  
behalf of all others similarly situated,  
  
Plaintiff.

v.

PEOPLECONNECT, INC., a Delaware  
Corporation,  
  
Defendant.

Case No. 3:20-cv-09203-EMC

The Honorable Edward M. Chen

**JOINT STATUS REPORT REGARDING  
CLASS DEFINITION AND CLASS NOTICE**

Pursuant to the Court’s January 19, 2024 Order, Plaintiff Alicia Nolen (“Plaintiff”), and Defendant PeopleConnect, Inc. (collectively, “the Parties”) in the above-captioned case, by and through their undersigned counsel, hereby submit this joint status report addressing (1) the class definition; (2) the plan for providing notice to class members of the Court’s certification order pursuant to Federal Rule of Civil Procedure 23(c)(2)(B); and (3) the language and format that would be used to provide notice to class members pursuant to Rule 23(c)(2)(B).

1. In its Order conditionally granting Plaintiff Alicia Nolen’s Motion for Class Certification, the Court directed the parties to meet and confer regarding a modified class definition and a plan to provide notice to class members pursuant to Rule 23(c)(2)(B). (Dkt. No. 256 at 43).

2. The Parties submitted a joint status report pursuant to the Court’s Order, (Dkt. No. 262), in which they reported to the Court that they had met and conferred regarding a modified class definition and plan for providing Rule 23(c)(2)(B) notice to class members, but had been unable to reach agreement. *Id.* at 2.

3. On January 19, 2024, the Court entered an Order providing guidance regarding issues raised in the joint status report and directing the parties to further meet and confer regarding the proposed class definition and plan for providing notice to class members pursuant to Rule 23(c)(2)(B), and directing the Parties to report their progress to the Court within 14 days. (Dkt. No. 267).

4. Beginning on January 19, 2024, the Parties exchanged a series of emails regarding the status of their meet and confer efforts, including on the issues of whether Plaintiff intended to propose a modified class definition and PeopleConnect’s previously filed objections to the existing plan for Rule 23(c)(2)(B) notice (*see* Dkt. No. 266).

5. On January 25, 2024, the Parties met and conferred via telephonic conference. As part of that meet and confer, Plaintiff provided to PeopleConnect an amended proposed class definition and the parties discussed PeopleConnect’s objections to the existing plan for Rule 23(c)(2)(B) notice. The Parties were not able to come to agreement as to the proposed class definition or plan for Rule 23(c)(2)(B) notice during that conference, but they did agree that PeopleConnect would provide further written feedback regarding both the proposed class definition and the plan for providing Rule 23(c)(2)(B) notice to class

1 members that would better enable Plaintiff to address PeopleConnect's feedback.

2 6. On January 26, 2024, PeopleConnect submitted to Plaintiff via email a written explanation  
3 of its points of disagreement and requests for further clarification regarding her proposed class definition,  
4 as well as an itemized list of requests for clarification, requests for further disclosure, and proposals for  
5 modification of her proposed plan for providing Rule 23(c)(2)(B) notice to class members. Plaintiff is  
6 reviewing that communication and evaluating further revisions to her proposed class definition and her  
7 plan for providing Rule 23(c)(2)(B) notice in light of PeopleConnect's feedback.

8 7. The Parties have met in good faith and they have made, and are making, substantial  
9 progress. There do remain, however, unresolved issues between them regarding both the proposed class  
10 definition and the plan for providing Rule 23(c)(2)(B) notice. They expect to be able to work through those  
11 unresolved issues with the benefit of additional time.

12 8. Accordingly, the Parties respectfully request an additional 21 days, up to and including  
13 February 23, 2024, to continue their meet and confer efforts. To that end, the Parties request that the Court  
14 direct them to submit a status report on or before February 23, 2024, in which they will inform the Court  
15 as to their progress and, to the extent required, identify any sources of disagreement requiring the Court's  
16 intervention.

17  
18 Dated: February 2, 2024

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**SIGNATURE ATTESTATION**

Pursuant to Local Rule 5-1(i), I hereby attest that concurrence in the filing of this document has been obtained from each of the other Signatories.

Dated: February 2, 2024

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